



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT **3-1**

SUBDIVISION REVIEW BOARD

Promoting the wise use of land  
Helping build great communities

MEETING DATE August 7, 2006	CONTACT/PHONE Michael Conger (805) 781-5136	APPLICANT Gale Gascho	FILE NO. CO 05-0189 SUB2005-00064
<b>SUBJECT</b> Request by Gale Gascho for a Vesting Tentative Parcel Map (CO05-0189) to subdivide an existing 10.62 acre parcel into two parcels of 5.00 and 5.62 gross acres each for the purpose of sale and/or development. The proposed project is within the Residential Rural land use category and is located at 1651 and 1655 Quiet Oaks Drive, approximately 960 feet east of Pomeroy Road, and approximately 800 feet south of the village of Los Berros. The site is in the South County (Inland) planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 05-0189 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 22, 2006 for this project. Mitigation measures are proposed to address biological resources, wastewater, and water, and are included as conditions of approval.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-011-055	SUPERVISOR DISTRICT(S) District 4
<b>PLANNING AREA STANDARDS:</b> Setbacks			
<b>LAND USE ORDINANCE STANDARDS:</b> Setbacks; Minimum Parcel Size; Parcel Design Standards; Access and Circulation Design			
<b>EXISTING USES:</b> Primary and secondary residence.			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Residential Rural/ scattered residences <i>East:</i> Residential Rural/ scattered residences <i>South:</i> Residential Rural/ scattered residences <i>West:</i> Residential Rural/ scattered residences			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, County Parks, CDF/County Fire, Air Pollution Control District, Cal Trans, Regional Water Quality Control Board			
<b>TOPOGRAPHY:</b> Level to gently sloping		<b>VEGETATION:</b> Grasses, forbs, scattered oaks	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF/ County Fire	ACCEPTANCE DATE: February 17, 2006
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#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size*

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	2.77 miles from the Nipomo urban reserve line	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the High fire hazard area	5 acres
Access	Accesses Quiet Oaks Drive (conditioned to become a 40-foot offered right of way)	5 acres
Slope	Average slope is between 0 and 10 %	5 acres

##### *Access*

In order to qualify for a minimum parcel size of 5 acres, the project site must provide a minimum 40-foot wide right-of-way access to the nearest County-maintained road. Quiet Oaks Drive was originally provided as a 50-foot private easement to serve the four parcels created by Parcel Map CO78-067. Since that time, Parcel 4 has subdivided, which resulted in a 25-foot offer to dedicate along the south side of Quiet Oaks Drive (see exhibit labeled "Quiet Oaks Drive – Offers of Dedication"). Because this project will create a sixth lot along Quiet Oaks Drive, an offer of dedication with a minimum 40-foot width from the project site to Pomeroy Road is required, and has been conditioned as part of this approval. This will require that offers be obtained from the owners of Parcel 1<sup>1</sup> and Parcel 2 of CO78-067 prior to recordation.

##### *Secondary Dwellings*

The proposed Parcel B includes an existing secondary dwelling. After the subdivision, Parcel B will continue to exceed 5 net acres, and will be subject to the following standards:

STANDARD	DESCRIPTION	STATUS
Accessory Unit Only	Secondary must be accessory to a primary dwelling; site cannot contain a guesthouse or more than one unit	Meets Standard
Restricted Occupancy	Owner shall occupy one unit on the site as their primary residence	<b>Conditioned to Meet Standard</b>

<sup>1</sup> A 25-foot offer of dedication along Parcel 1's Quiet Oaks Drive frontage is proposed as part of CO04-0247, a tentative parcel map that is currently in process.

STANDARD	DESCRIPTION	STATUS
Limitation on Location	Project is not in an area where secondary units are prohibited	Meets Standard
Minimum Access	Project site is accessed by a private easement (conditioned to be surfaced with chip seal or better)	<b>Conditioned to Meet Standard</b>
Minimum Site Area	On-site well and on-site sewage disposal: Minimum site area is 1 net acre	Meets Standard
Maximum Floor Area	On-site well and on-site sewage disposal: Maximum floor area is 1,200 square feet	<b>Conditioned to Verify or Meet Standard</b>
Maximum Distance	On-site well and on-site sewage disposal: Maximum distance from primary unit is 250 feet	<b>Conditioned to Verify or Meet Standard</b>
Design	Design style shall be compatible with the existing primary dwelling.	Meets Standard
Parking	One additional off-street parking space	Meets Standard

#### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

#### *Affordable Housing Fees*

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

#### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

#### *Road Improvements*

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This review considers the potential for further divisions and development in the site vicinity. As a result of this review, both an offer of dedication and road improvements are recommended as a means of providing appropriate access and circulation for this area.

#### PLANNING AREA STANDARDS:

##### *Setbacks – Residential Rural Planning Area Standard*

Planning area standards require that an 80-foot front setback be set for new large-lot rural subdivisions. As conditioned, the project meets this standard.

**COMMUNITY ADVISORY GROUP COMMENTS:** This project was reviewed on October 24, 2005 by the Nipomo Community Advisory Council. The project was approved unanimously on the consent agenda, with a request that County Parks review the project to determine if a trail easement is needed.

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AGENCY REVIEW:

Public Works – Stock conditions included.

Environmental Health – Provided a health agency subdivision letter dated September 20, 2005.

County Parks – Requests payment of Quimby fees.

CDF – Provided a fire safety letter dated October 5, 2005.

APCD – Provided a letter dated February 7, 2006 documenting air quality concerns.

Cal Trans – As of July 12, 2006, no response has been received.

RWQCB – As of July 12, 2006, no response has been received.

LEGAL LOT STATUS:

The subject lot was legally created by recorded map (CO78-067), recorded December 15, 1978 in Book 27, Page 29 of Parcel Maps.

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## FINDINGS - EXHIBIT A

### *Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 22, 2006 for this project. Mitigation measures are proposed to address biological resources, wastewater, and water, and are included as conditions of approval.

### *Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of a primary and secondary unit each.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling on each parcel.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because there is adequate site area to accommodate development without causing substantial environmental impacts, and mitigation measures have been incorporated into the project to ensure that potential impacts are reduced to a less than significant level.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

### *Road Improvements*

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

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**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR CO05-0189**

**Approved Project**

1. Vesting Tentative Parcel Map (CO05-0189) to subdivide an existing 10.62 acre parcel into two parcels of 5.00 and 5.62 gross acres each for the purpose of sale and/or development.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. Quiet Oaks Drive constructed to an A-1 cul-de-sac section within the existing easement.
  - b. Quiet Oaks Drive constructed to an A-1 section from the property to Pomeroy Road (minimum paved width to be 18 feet).
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
  - a. The 50 foot road easement terminating in a county cul-de-sac as shown on the tentative map fronting the property.
4. Offers for dedication to the public by separate document be provided in order to achieve a minimum 40-foot right-of-way from the project site to Pomeroy Road.
5. A private easement be reserved on the map for access to Parcel B, with a minimum 20 foot width.

**Improvement Plans**

6. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Grading and erosion control plan for subdivision related improvement locations.
  - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
7. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

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### Drainage

8. Submit complete drainage calculations to the Department of Public Works for review and approval.
9. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards.
10. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
11. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. The WDID number shall be provided to the County.

### Utilities

12. Electric and telephone lines shall be installed underground or overhead.
13. Cable T.V. conduits shall be installed in the street.
14. Gas lines shall be installed.

### Design

15. The lots shall be numbered in sequence.
16. **Prior to filing the final parcel map**, the applicant shall provide documentation to the Department of Planning and Building to verify the conformance of the secondary unit on Parcel B with the secondary unit standards of the Land Use Ordinance. If the secondary unit is determined to be out of compliance with ordinance standards, the unit shall be removed or brought into conformance with the Land Use Ordinance (a demolition permit may be required). Adjustment of these standards may be pursued through the appropriate entitlement. The following standards shall be addressed:
  - a. The secondary unit shall meet the size and distance limitation standards provided in the Land Use Ordinance [currently Section 22.30.470(F)(2)(b)].
  - b. The secondary unit shall meet the access requirements provided in the Land Use Ordinance [currently Section 22.30.470(C)(2)(c)].
  - c. No secondary dwelling shall be allowed on the site unless an owner of the site agrees to occupy one unit on the site as his or her primary residence. A notice shall be recorded against Parcel B notifying any subsequent purchaser that failure to meet the owner occupancy requirement will subject the secondary unit to abatement by the county pursuant to Chapter 22.74 of the Land Use Ordinance.

17. The lot area of Parcel A shall contain a minimum area of 4.5 net acres exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22.22.030).
18. The lot area of Parcel B shall contain a minimum area of 5 net acres exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22.22.030).

#### **Fire Protection**

19. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.

#### **Parks and Recreation (Quimby) Fees**

20. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

#### **Affordable Housing Fee**

21. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

#### **Additional Map Sheet**

22. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. An eighty foot (80') front setback line shall be established from the front property line of both parcels, and shall be clearly delineated on the additional map sheet. **At the time of application for construction permits, the 80-foot front setback shall be clearly shown on the plans.**
  - b. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
  - c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.



*Fire Safety*

- d. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

*Cultural Resources*

- e. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
  - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

*Air Quality*

- f. Notification that if utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated, this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).
- g. Notification that the Air Pollution Control District has prohibited developmental burning of vegetative material within San Luis Obispo County.
- h. The Air Pollution Control District recommends the following measures be incorporated into the project to control dust:
  - i. Reduce the disturbed area where possible.
  - ii. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mile per hour. Reclaimed (non-potable) water should be used whenever possible.
  - iii. All dirt stockpile areas should be sprayed daily as needed.
  - iv. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- i. **Prior to any grading activities** at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that is to be disturbed. If NOA is not present, an exemption request must be filed with the Air Pollution Control District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.
- j. To minimize delays, prior to the start of grading or construction, please contact the Air Pollution Control District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.
- k. Notification that only Air Pollution Control District approved wood burning devices can be installed in new dwelling units.

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*Tree Protection / Removal*

- l. **At the time of application for grading/construction permits**, the applicant shall clearly delineate the location of all coast live oak trees on the subject site. Proposed development shall be located so as to avoid impact (site disturbance within the root zone—150% of the dripline area) or removal of coast live oaks. If such a location is infeasible, the applicant shall provide evidence to support that claim, and submit a tree removal and replacement plan for the review and approval of the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 4:1 ratio all oaks removed as a result of the development of the project. Additionally, it shall provide for the planting, in kind, at a 2:1 ratio of all oak trees to mitigate for those that are impacted but not removed.
- m. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- n. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- o. Newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- p. Replacement oak trees shall be from either vertical tubes, or deep, one-gallon container sizes.
- q. **At the time of application for construction/grading permits**, all trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- r. All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

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*Wastewater*

- s. **Prior to issuance of construction permits**, the applicant shall submit information demonstrating compliance with County Code and the Central Coast Basin Plan, including but not limited to slope information, percolation test results, and soil boring data including depth to bedrock. If the applicant cannot demonstrate compliance, an engineered system shall be required.

*Water Conservation*

- t. **Prior to final inspection or occupancy** (whichever occurs first), the following measures shall be applied to the proposed turf areas:
- i. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
  - ii. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
  - iii. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
- u. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

**Covenants, Conditions and Restrictions**

23. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
- a. If a drainage basin is required, on-going maintenance of the drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
  - b. Maintenance of all local streets within the subdivision until acceptance by a public agency.
  - c. Maintenance of the access easements.
  - d. Notification to prospective buyers of the 80-foot front setback line.
  - e. Notification to prospective buyers that an additional map sheet was recorded with the final parcel map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

**Miscellaneous**

24. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
25. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.

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26. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
  - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
  - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
  - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

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7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (MC)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED05-302

DATE: June 29, 2006

PROJECT/ENTITLEMENT: Gascho Parcel Map SUB2005-00064 / CO 05-0189

APPLICANT NAME: Gale Gascho

ADDRESS: 1655 Quiet Oaks Dr., Arroyo Grande, CA 93420

CONTACT PERSON: RRM Design Group

Telephone: 805-543-1794

**PROPOSED USES/INTENT:** Request by Gale E. Gascho for a Vesting Tentative Parcel Map to subdivide an existing 10.62 acre parcel into two parcels of 5.00 acres and 5.62 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Quiet Oaks Drive.

**LOCATION:** The proposed project is within the Residential Rural land use category, and is located at 1651 and 1655 Quiet Oaks Drive, approximately 960 feet east of Pomeroy Road, approximately 800 feet south of the village of Los Berros. The site is in the South County Inland planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 200  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** None

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT** .....5 p.m. on July 13, 2006

**20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

**Notice of Determination**

**State Clearinghouse No.**

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 200, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**

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California Department of Fish and Game  
**CERTIFICATE OF FEE EXEMPTION**  
De Minimis Impact Finding

**PROJECT TITLE & NUMBER:** Gascho Parcel Map (SUB2005-00064, CO05-0189)

**Project Applicant**

Name: Gale E. Gascho  
Address: 1655 Quiet Oaks Drive  
City, State, Zip Code: Arroyo Grande, Calif. 93420  
Telephone #: 805-474-4450

**PROJECT DESCRIPTION/LOCATION:** See attached Notice of Determination

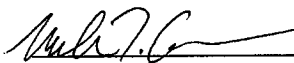
**FINDINGS OF EXEMPTION:**

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ ( ) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ (X) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ (X) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ ( ) The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. \_\_\_\_\_ .
- ☐ ( ) Other: \_\_\_\_\_

**CERTIFICATION:**

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

 (Michael Conger)  
**Ellen Carroll**, Environmental Coordinator  
County of San Luis Obispo

Date: June 14, 2006





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COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

(ver 2.1) Using Form

Project Title & No. Gascho Parcel Map CO05-0189 / SUB2005-00064 ED 05-302

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                      | <input checked="" type="checkbox"/> Geology and Soils         | <input type="checkbox"/> Recreation                            |
| <input type="checkbox"/> Agricultural Resources          | <input type="checkbox"/> Hazards/Hazardous Materials          | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Air Quality                     | <input type="checkbox"/> Noise                                | <input checked="" type="checkbox"/> Wastewater                 |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing                   | <input checked="" type="checkbox"/> Water                      |
| <input type="checkbox"/> Cultural Resources              | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use                              |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Michael Conger  
Prepared by (Print)

Signature

5.30.06  
Date

Jeff Oliveira  
Reviewed by (Print)

Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

5/31/06  
Date

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### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

### **A. PROJECT**

**DESCRIPTION:** Request by Gale E. Gascho for a Vesting Tentative Parcel Map (CO 05-0189) to subdivide an existing 10.62 acre parcel into two parcels of 5.00 acres and 5.62 acres each for the purpose of sale and/or development. The project includes off-site road improvements to Quiet Oaks Drive. The proposed project is within the Residential Rural land use category and is located at 1651 and 1655 Quiet Oaks Drive, approximately 960 feet east of Pomeroy Road, approximately 800 feet south of the village of Los Berros. The site is in the South County Inland planning area.

**ASSESSOR PARCEL NUMBER(S):** 091-011-055

**SUPERVISORIAL DISTRICT #** 4

### **B. EXISTING SETTING**

**PLANNING AREA:** South County (Inland), Rural

**LAND USE CATEGORY:** Residential Rural

**COMBINING DESIGNATION(S):** None

**EXISTING USES:** Undeveloped

**TOPOGRAPHY:** Nearly level to gently sloping

**VEGETATION:** Grasses , forbs

**PARCEL SIZE:** 10.63 acres

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Residential Rural; undeveloped	<i>East:</i> Residential Rural; residential
<i>South:</i> Residential Rural; residential	<i>West:</i> Residential Rural; residential

### **C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant

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environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

## COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. <b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located in an existing rural residential subdivision. The project will not be visible from any major public roadway, and will not silhouette against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses.

**Impact.** No significant visual impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

2. <b>AGRICULTURAL RESOURCES</b> - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located in the Residential Rural land use category. The site has not been

used for agricultural purposes in the recent past. The surrounding area is characterized by scattered residences on parcels varying in size from one-half acre (Town of Los Berros) to over 10 acres. Most of these parcels are too small to sustain commercially viable agricultural production. Hobby agriculture, however is common in the area. The nearest commercial agricultural production is located over 1,000 feet away along Los Berros Road just east of the Town of Los Berros.

The soil types are as follows:

Oceano sand, (0 - 9 % slope). This nearly level to gently sloping soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

Oceano sand, (9 - 30 % slope). This gently to steeply sloping soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities, steep slopes. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the 2003 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD). The APCD provided comments on the proposed project (Alexander Bugrov; February 7, 2006). These comments can be summarized by the following

points:

- The Clean Air Plan recommends that areas outside the urban/village reserve lines be retained as open space, agriculture, and very low-density residential development. The APCD does not support this type of development.
- If utility pipelines are scheduled for removal or relocation, or buildings are removed or renovated as part of this project, requirements of the National Emission Standard for Hazardous Air Pollutants (NESHAP) may apply.
- Developmental burning of vegetative material is prohibited.
- Measures to control dust during project construction phase are recommended.
- Geologic evaluation to determine the presence of Naturally Occurring Asbestos (NOA) shall be conducted prior to grading activities.
- The applicant should contact APCD's Engineering Division prior to construction for information regarding APCD's permitting requirements.
- Only APCD-approved wood-burning devices may be installed in new dwelling units.

**Impact.** As proposed, the project will result in additional site disturbance because there are currently two residences on the property (Parcel B). Future site disturbance would result if subsequent construction occurs on Parcel A (i.e. primary residence, secondary residence, accessory buildings). This potential future development will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. In addition, each new residence will be subject to the South County Air Quality Mitigation Fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. The program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycle through bike land installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths.

In 1994, the South County Area Plan was adopted and associated EIR was certified. As part of that analysis, a cumulative assessment of the buildout impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with slight improvement over the previous area plan buildout would offset some of these impacts. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

#### 4. BIOLOGICAL RESOURCES - *Will the project:*

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

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**4. BIOLOGICAL RESOURCES -**  
**Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses , forbs, oak woodland

The project site occurs within the Santa Barbara Vernal Pool Region designated by the California Department of Fish and Game. Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

Based on the latest California Diversity database, and other biological references, the following is a list of sensitive vegetation, wildlife and/or habitat that have been identified as potentially being within the vicinity of the proposed project:

**Plants- Dune larkspur (*Delphinium parryi* ssp. *blochmaniae*) List 1B**

Dune larkspur (*Delphinium parryi* ssp. *blochmaniae*) is a perennial herb that is found within maritime chaparral and coastal dune habitats (Tibor 2001). The typical flowering period is April through May. The species grows from sea level to 200 m (656 ft). The dune larkspur is a federal concern species and the CNPS considers this plant to be rare, threatened, or endangered in California and elsewhere (List 1B, 3-2-3).

**Sand Mesa manzanita (*Arctostaphylos rudis*) List 1B app. 0.1 mile east, 0.8 miles southeast, 1.0 mile east and 1.0 mile southwest of the property**

Sand mesa manzanita (*Arctostaphylos rudis*) is an evergreen shrub that occurs in chaparral and coastal scrub habitats (Tibor 2001). The typical flowering period for this species is November through February. The species grows from 25 m to 260 m (82 ft to 853 ft). The sand mesa manzanita is a federal species of special concern, and the CNPS considers this plant to be rare, threatened, or endangered in California and elsewhere (List 1B, 2-2-3).

**Wells's manzanita (*Arctostaphylos wellsii*) List 1B app. 0.7 miles northeast of the property**

Wells's manzanita (*Arctostaphylos wellsii*) is an evergreen shrub that is found on sandstone soils in closed cone coniferous forests and chaparral. The typical flowering period is December through April. The species grows from 30 m to 400 m (98 ft to 1,312 ft). Wells's manzanita is considered rare by CNPS (List 1B, RED 2-3-3).

**Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) FE, SR, List 1B app. 0.7 miles southwest of the property**

Pismo clarkia is listed as a Federal endangered species, as a rare species by the State, and is included on CNPS List 1B. It has a R-E-D (Rarity-Endangerment-Distribution) code of 3-3-3. This annual herb occurs on low, sandy hills (<100 meters), from Pismo to Edna Valley, in southern San Luis Obispo County. Most Pismo clarkia populations are found in valley and foothill grasslands, and in the margins between chaparral and oak woodland communities near the coast.

Natural populations observed in the Arroyo Grande and Nipomo Mesa areas appear to flourish in open areas located on northerly or easterly facing sandy slopes, which have experienced some form of soil disturbance. A recovery plan for Pismo clarkia has been prepared (USFWS 1998) that documents distribution patterns, principal threats, conservation efforts, habitat management, and recovery strategies for the species. The principal threat to the Pismo clarkia is habitat destruction and degradation due to development.

Disturbed annual grassland habitat occurs on the project site. A comprehensive floristic botanical survey was conducted for the proposed project (V.L. Holland; June 17, 2005). No Pismo clarkia or other special-status plant species were discovered on the project site during floristic survey.

**Wildlife-** California red-legged frog (*Rana aurora draytonii*) FT app. 1.0 mile northeast of the property  
California red-legged frog (*Rana aurora draytonii*) typically inhabits shorelines with extensive vegetation. The frog requires 11 to 20 weeks of permanent water for larval development. California red-legged frog is considered federally threatened.

**Habitat-** Potential California red-legged frog (*Rana aurora draytonii*) FT habitat  
Potential Pismo clarkia (*Clarkia speciosa* ssp. *immaculate*) FE, SR, List 1B habitat  
Vernal Pools – The proposed project is within the Santa Barbara vernal pool region, which is a generalized regional area with vernal pools known to exist within its boundaries. A vernal pool habitat will consist of seasonal wetland (i.e., an area with ponding water during the wet season and then drying up during the summer months). This habitat sometimes support sensitive aquatic plant and wildlife species, such as the federally-threatened vernal pool fairy shrimp, the spadefoot toad, the California Tiger salamander, and several sensitive aquatic plant species. [During a field inspection, the project area's topography was inspected for the potential to support vernal pools (e.g., low-lying areas, natural or man-made ponding areas, etc.). No such topography was identified.]

**KEY:** FE-Federally Endangered; PFE-Proposed Listing-Federally Endangered; FT-Federally Threatened; PFT-Proposed listing-Federally Threatened; FC-Federal Candidate; FSC-Federal Species of Concern (no longer used); FD - Federally delisted SE-State Endangered; SCE-State Endangered Candidate for listing; ST-State Threatened; SCT-State Threatened Candidate for listing; SR-State Rare; CSC- CA Special Concern Species; FP-CDFG Fully Protected; List 1A-CNPS Presumed extinct in CA; List 1B-CNPS Rare or Endangered in CA & elsewhere; List 2-CNPS Rare or Endangered in CA, but common elsewhere; List 3-CNPS Plants needing more info (Review List); List 4-CNPS Plants of limited distribution (Watch List).

**Impact.** Disturbed annual grassland, coast live oak woodland, and blue gum windrow occur on the project site. A comprehensive floristic botanical survey was conducted for the proposed project (V.L. Holland; June 17, 2005). The botanical survey did not find evidence of any special status plants on the project site. Parcel B currently has two residences, and Parcel A is vacant. Future development could include a primary and secondary dwelling on Parcel A, and accessory structures (barns, workshops, garages) on both parcels. Such development could potentially impact or cause the removal of native oaks.

A site visit of the project site was made on September 28, 2006 by the project manager to identify the potential for vernal pool habitat and/or listed plant and fairy shrimp species. At this time, no evidence

of vernal pools or potential areas for ponded water was observed. The topography on the project site is such that water would not pool in a manner consistent with the characteristics of vernal pools or seasonal wetlands. Therefore, there was no indication of habitat suitable for supporting fairy shrimp or sensitive plant species associated with vernal pools.

**Mitigation/Conclusion.** Adequate area exists on Parcel A for the development of a primary and secondary unit without necessitating the removal of oaks. The applicants have agreed to avoid impact and removal oaks for future development on both Parcel A and B.

**5. CULTURAL RESOURCES -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** A Phase I (surface) survey was conducted (Thor Conway; June 2, 2005). No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

**6. GEOLOGY AND SOILS -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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## 6. GEOLOGY AND SOILS -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. .

No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Rocky Place) from the proposed development is approximately 0.3 miles to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained.

No development is proposed at this time, however if future development is to increase velocity or amount of runoff, result in 20,000 square feet of impervious surface, or involve 20,000 square feet of site disturbance, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. No development is proposed as part of this project, however future development may be required to provide a plan prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre

of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

**Impact.** The applicant has not currently proposed development requiring site disturbance as part of this project. Future development of a primary and secondary dwelling on Parcel A, however, could occur as a result of this project. Such development could result in impervious surface that would affect the drainage on the site. Site disturbance associated with grading could likewise cause sedimentation and erosion impacts.

**Mitigation/Conclusion.** There is no evidence that measures above what will already be required by ordinance or codes are needed.

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

**8. NOISE - Will the project:**

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

**Impact.** The project is not expected to generate loud noises, nor conflict with the surrounding uses.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the

county. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Nipomo Station 20) is approximately 4.5 miles to the south. The closest Sheriff substation is in Oceano, which is approximately 5.8 miles from the proposed project. The project is located in the Lucia Mar Unified School District.

**Impact.** No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place. In addition, the site is within the South County Road Impact fee area, which requires future development to pay its share of cumulative impacts to area roads.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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**11. RECREATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource. Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

**Impact.** The proposed project will not create a project specific significant need for additional park or recreational resources, but will contribute to a cumulative demand for these resources.

**Mitigation/Conclusion.** The "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto the following public road(s): Pomeroy Road, an arterial via Quiet Oaks Drive, a local road. The identified roadways are operating at acceptable levels. Referrals were sent to County Public Works. No significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 19 trips per day, based on the Institute of Traffic Engineer's manual of 9.57/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The project will however contribute to a cumulative increase in use of the transportation and circulation network in the area. The project is within the South County Road Impact Fee Area, which addresses cumulative traffic increases through collection of fees which are used to make necessary road improvements associated with the traffic increases.

**Mitigation/Conclusion.** Payment of the South County Road Impact Fee will sufficiently address cumulative impacts to transportation. No project-specific significant traffic impacts were identified, and therefore no additional mitigation measures are necessary.

**13. WASTEWATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** As described in the NRCS Soil Survey (see Agriculture section for soil types and descriptions), the main limitations for on-site wastewater systems relates to: poor filtering characteristics. These limitations are summarized as follows:

Poor Filtering Characteristics – due to the very permeable soil; without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent; to achieve compliance with the Central Coast Basin Plan, depth to groundwater information will need to be provided at the building permit stage.

**Impact.** Future development will use an on-site system as its means to dispose of wastewater. Based on the proposed project, adequate area appears available for on-site systems to support both existing and future development.

**Mitigation/Conclusion.** Prior to issuance of any building permit, the applicant will be required to provide septic information to the satisfaction of the Building Division. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

**14. WATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 (The 2005 RMS Report recommends a Level of Severity 3) for water supply in the Nipomo Mesa area, defined as the area subject to the 1.8% growth limit, as depicted in the Growth Management Ordinance. The County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area. Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water.

A planning area standard will be enacted by which building permits will be required to include the full range of water conservation measures, including:

Indoor measures

- Low water-use toilets, showerhead, faucets;
- Low water-use clothes washers;
- Automatic shut-off devices for bathroom and kitchen faucets;
- Point-of-use supplemental water heater systems in bathrooms and kitchen, or circulating hot water systems.

Outdoor measures

- Low water-use landscape

- Limited landscape area;
- Limited turf area;
- Low water-use plant materials;
- Hardware
- Soil moisture sensors;
- Drip irrigation system;
- Separate meter for outdoor water;
- Management
- Operating manual to instruct homeowner how to use and maintain water conservation hardware.

The Board of Supervisors also directed staff to process a general plan amendment (planning area standard) that would expand the application of landscape standards in the LUO (Sec. 22.16.020) for projects in the area subject to the 1.8% growth limit. Low water-use landscapes will be required for all developer-installed landscapes on parcels of 5 acres or less in any land use category (currently, this provision applies to parcels of 2 acres or less).

In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommend.

The project proposes to use a community system (Los Berros Water Co.) as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. The underlying groundwater basin is the Santa Maria groundwater basin, which is made up of three interconnected sub-areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

The topography of the project is nearly level. The closest creek Rocky Place from the proposed development is approximately 0.3 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

**Impact.** On water use, based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 1.18 acre feet/year (AFY)

*1 residential lots (w/primary (0.85 afy) & secondary (0.33 afy) X 1 lots) = 1.18 afy*

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989) [SBWaterUsage.pdf](#)

Regarding surface water quality, as proposed, the project will not result in additional site disturbance,



until future development occurs. The project is not within close proximity to surface water sources.

**Mitigation/Conclusion.** Based on the setting discussion, water conservation measures are proposed for the project. Additionally, a final will-serve letter from the Los Berros Water Company will be required prior to recordation of the Final Map.

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). In their referral response, the APCD noted that the project is potentially inconsistent with the Clean Air Plan, which discouraged fracturing of rural land. See the discussion under the "Air Quality" section of this report for further discussion. The project was found to be consistent with all other documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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- a) **Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?** ☐ ☒ ☐ ☐
- b) **Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)** ☐ ☒ ☐ ☐
- c) **Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?** ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at: "http://ceres.ca.gov/topic/env\_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b>Contacted</b>	<b>Agency</b>	<b>Response</b>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input checked="" type="checkbox"/>	County Environmental Health Division	<b>Attached</b>
<input type="checkbox"/>	County Agricultural Commissioner's Office	<b>Not Applicable</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Air Pollution Control District	<b>Attached</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input type="checkbox"/>	Regional Water Quality Control Board	<b>Not Applicable</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Game	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	CA Department of Forestry	<b>Attached</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input type="checkbox"/>	Community Service District	<b>Not Applicable</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

**County documents**

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  - ☒ Agriculture & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☐ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☒ Real Property Division Ordinance
- ☒ Trails Plan
- ☐ Solid Waste Management Plan

☒ South County (Inland) Area Plan and Update EIR

☐ Circulation Study

**Other documents**

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other \_\_\_\_\_

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

**Bugrov, Alexander (February 17, 2006). *APCD Comments Regarding the Gascho Subdivide Project Referral (SUB2005-00064)*. Air Pollution Control District: San Luis Obispo, CA.**

**Conway, Thor (June 2, 2005). *Phase One Archaeological Surface Survey for the Gascho Property, Quiet Oaks Drive, Nipomo Mesa, Arroyo Grande, San Luis Obispo County*. Heritage Discoveries: San Luis Obispo, CA.**

**Holland, V.L. (June 17, 2005). *Botanical Report: 1655 Quiet Oaks Drive, Arroyo Grande, CA 93420-5916*. Plant and Restoration Ecology: San Luis Obispo, CA.**

## Exhibit B - Mitigation Summary Table

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### **Biological Resources**

- BR-1 **At the time of application for grading/construction permits**, the applicant shall clearly delineate the location of all coast live oak trees on the subject site. Proposed development shall be located so as to avoid impact (site disturbance within the root zone—150% of the dripline area) or removal of coast live oaks. If such a location is infeasible, the applicant shall provide evidence to support that claim, and submit a tree removal and replacement plan for the review and approval of the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 4:1 ratio all oaks removed as a result of the development of the project. Additionally, it shall provide for the planting, in kind, at a 2:1 ratio of all oak trees to mitigate for those that are impacted but not removed.

Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.

- BR-2 **At the time of application for construction/grading permits**, all trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

- BR-3 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

### **Wastewater**

- WW-1 **Prior to issuance of construction permits**, the applicant shall submit information demonstrating compliance with County Code and the Central Coast Basin Plan, including but not limited to slope information, percolation test results, and soil boring data including depth to bedrock. If the applicant cannot demonstrate compliance, an engineered system shall be required.

### **Water**

- W-1 **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
- a. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
  - b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
  - c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
- W-2. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans prior to permit issuance.

Date: June 1, 2006

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**DEVELOPER'S STATEMENT FOR**  
**Gascho Parcel Map**  
**CO 05-0189 / SUB2005-00064 / ED 05-302**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

**Biological Resources**

**BR-1** At the time of application for grading/construction permits, the applicant shall clearly delineate the location of all coast live oak trees on the subject site. Proposed development shall be located so as to avoid impact (site disturbance within the root zone—150% of the dripline area) or removal of coast live oaks. If such a location is infeasible, the applicant shall provide evidence to support that claim, and submit a tree removal and replacement plan for the review and approval of the Environmental Coordinator. The plan shall provide for the replacement, in kind, at a 4:1 ratio all oaks removed as a result of the development of the project. Additionally, it shall provide for the planting, in kind, at a 2:1 ratio of all oak trees to mitigate for those that are impacted but not removed.

Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Replacement oak trees shall be from either vertical tubes, or deep, one-gallon container sizes.

3-40

**BR-2** At the time of application for construction/grading permits, all trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**BR-3** All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

**Monitoring BR-1 through BR-3:** Compliance will be verified by the County Planning and Building Department during the construction/grading permit phase.

### Wastewater

**WW-1** Prior to issuance of construction permits, the applicant shall submit information demonstrating compliance with County Code and the Central Coast Basin Plan, including but not limited to slope information, percolation test results, and soil boring data including depth to bedrock. If the applicant cannot demonstrate compliance, an engineered system shall be required.

**Monitoring WW-1:** Compliance will be verified by the County Planning and Building Department during the construction/grading permit phase.

### Water

**W-1** Prior to final inspection or occupancy (whichever occurs first), the following measures shall be applied to the proposed turf areas:

- a. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
- b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
- c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.

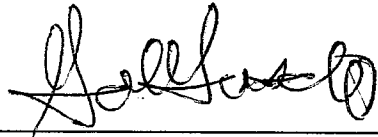


3-41

- W-2. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans prior to permit issuance.

**Monitoring W-1, W-2:** Compliance will be verified by the County Planning and Building Department during the construction/grading permit phase.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)



Date

6/1/06

Gale Gascho

Della Gascho

Name (Print)

3-42

### **Consent Agenda**

#### **Consent Agenda:**

**Doty / SUB2005-00049:** Equal lot line adjustment (Properties are on the bluff near Mesa View Dr and Kip Lane). Doty parcel exceeds allowable number of dwelling units. Lot line adjustment will have a condition for the lot to be brought into conformance. **Land Use recommends approval of this project**

**Schultz/ Robinson-SUB2005-00059:** Lot Line Adjustment corner of Dawn Rd and Calle Fresa on 4 acres. The lot line is only 10 feet from the house. There is an established front yard and driveway that extends beyond that line. Signed request from both neighbors for this lot line adjustment are included. **Land Use recommends approval of this project**

**Gamboa//SUB2005-00071:** Subdivide 10.16 acres into two 5+ acres. Located at 1024 Hetrick Ave. **Land Use recommends approval of this project upon review by Jan DiLeo for possible trail easements.**

\* ————— **Gascho/SUB 2005-00064:** Divide 10 acres into two 5-acre parcels. Located at 1655 Quiet Oaks Dr. **Land Use recommends approval of this project upon review by Jan DiLeo for possible trail easements.**

Motion by Bonnie Eisner and seconded by Rick Dean to accept the Consent agenda as listed in the Meeting agenda except for the Doti matter which will tabled until the November meeting. Motion passed Yes 12 No 0 Abstain Kevin Beauchamp

### **Public Comment**

Jesse Hill noted that the Board of Supervisors has established Quimby and PFF areas. Monies that are collected from these areas are to be spent in those areas.

Peg Miller of Old Town Association reminding us of the Wine Art and Flower Festival on November 13 at the Kaleidoscope Inn.

Herb Kandell there is land for sale in South County that could be bought for open space in association with the Corps of Engineers.

### **New Business**

Considine request for a waiver of the secondary housing distance requirement.

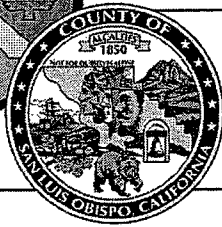
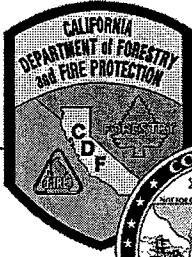
Motion by Bonnie Eisner and seconded by Stephanie Franks to allow the waiver.

Motion failed Yes 3 No 9 abstain El-Jay Hansson.

Pearson/Global Premier 20-2 bedroom units. Dan Woodson presented a traffic study.

## **Traffic Impact Caused by an Addition of 40 Proposed Dwelling Units**

Recommendation: Require applicant to provide a traffic impact report conducted by a licensed traffic engineer. Report shall consist of traffic



*Michael C. 302*

**3-43**

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CDF/San Luis Obispo County  
Fire Department

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635 N. Santa Rosa • San Luis Obispo • California 93405

October 5, 2005

South County Team  
County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Subject: Parcel Map Project # ~~SUB2005-00064~~ *SUB 2005-00064*

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed 10 acre into two 5 acre parcel subdivision project located at 1655 Quiet Oaks Drive, Arroyo Grande, CA. This project is located approximately ten minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

**Access Road**

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
  - Parcels less than 1 acres                      800 feet
  - Parcels 1 acre to 4.99 acres                      1320 feet
  - Parcels 5 acres to 19.99 acres                      2640 feet
  - Parcels 20 acres or larger                      5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.

- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

3-44

### Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

### Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

### Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

Revised fire safety plan. A second review of this project allows individual water storage tanks for this project based on square footage of the proposed buildings.

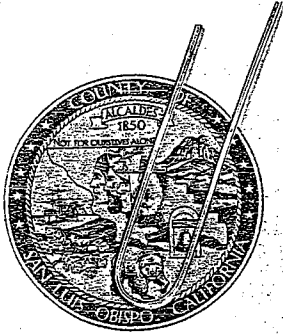
If I can provide additional information or assistance, please call 543-4244.

Sincerely,

*Chad T. Zrelak*

Chad T. Zrelak

cc: Gascho  
RPM Design Group

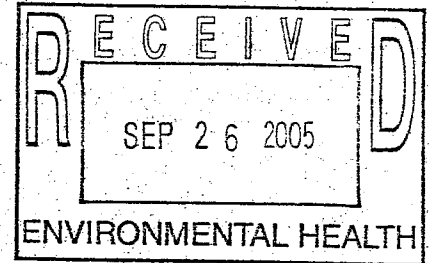


me  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

3-45

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 9/26/05

TO: Env. Health

FROM: ☒ - South County Team    ☐ - North County Team    ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB 2005-00064 Applicant: Gascho  
Parcel map CO 05-0189. Divide 10 acres into (2)  
5 acre parcels. APN: 091-011-055

Return this letter with your comments attached no later than: 10/18/05

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES  
☐ NO

(Please go on to PART II.)  
(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES  
☐ NO

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)  
(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

See attached letter, and please apply standard stock  
conditions for community water and on-site septic systems.

10/18/05  
Date

Laurie Salo  
Name

781-5551  
Phone



# County of San Luis Obispo • Public Health Department

3-46

## Environmental Health Services

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX: (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

Curtis A. Batson, R.E.H.S.  
Director

September 20, 2005

RRM Design Group  
3765 South Higuera Street, Suite 102  
San Luis Obispo, CA 93401

ATTN: TERRY PAYNE  
RE: TENTATIVE PARCEL MAP CO 05-0189 (GASCHO)  
A.P.N. # 091-011-055

### Water Supply

This office is in receipt of **preliminary** evidence of water to the above referenced project. Due to the number of service connections on an existing shared well, the applicant will be converting the shared well to a state small water company. Contact Marina Michel at 781-5544 with any questions regarding the state small water company.

Be advised that a will serve letter, from the water company, will be required prior to recordation of the final map. Water distribution improvements shall be built to each parcel or construction of the water line improvements may be delayed by way of a county approved performance bond.

### Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. Comprehensive soil borings and percolation testing will be required on the vacant parcel A prior to map recordation.

CO 05-0189 is approved for Health Agency subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c: Kami Griffin, County Planning  
South County Team, County Planning  
Gale Gascho, Owner



Mike Conger

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

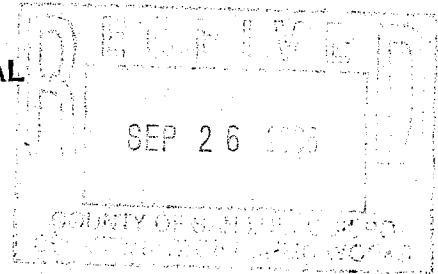
3-47

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 9/26/05

FROM: PW



FROM ☒ - South County Team

☐ - North County Team

☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB 2005-00004 Applicant: Gascho  
Parcel map CO 05-0189. Divide 10 acres into (2)  
5 acre parcels. APN: 091-011-055

Return this letter with your comments attached no later than: 10/13/05

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

RECOMMEND APPROVAL - STAFFS ATTACHED

10 Nov 2005  
Date

GOODWIN  
Name

5252  
Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us)

FAX: (805) 781-1242

WEBSITE: <http://www.sloplanning.org>

CONDITIONS OF APPROVAL FOR CO 05-0189, GASCHO/RRMApproved Project

This approval authorizes the division of a \_\_\_\_\_ acre parcel into \_\_\_\_\_ parcels of \_\_\_\_\_ acres / square feet each.

Access and Improvements

Roads and/or streets to be constructed to the following standards:

a.

QUIET CRES constructed to a A-1 CUL-DE-SAC section within ~~THE EXISTING EASEMENT~~ foot dedicated right-of-way.

b.

\_\_\_\_\_ widened to complete a \_\_\_\_\_ section fronting the property.

c.

QUIET CRES constructed to a A-1 section from the property to POMEROY Rd (minimum paved width to be 18 feet).



The applicant offer for dedication to the public by certificate on the map or by separate document:

a.

For future road improvement \_\_\_\_\_ feet along \_\_\_\_\_ to be described as \_\_\_\_\_ feet from the recorded centerline.

b.

For future road improvement \_\_\_\_\_ feet along \_\_\_\_\_ to be described as \_\_\_\_\_.

c.

For road widening purposes \_\_\_\_\_ feet along \_\_\_\_\_, to be described as \_\_\_\_\_ feet from the recorded centerline.

d.

The \_\_\_\_\_ foot road easement as shown on the tentative parcel map with a \_\_\_\_\_ foot radius property line return at the intersection of \_\_\_\_\_.

e.

A \_\_\_\_\_ foot radius property line return at the intersection of \_\_\_\_\_.

f.

The 50 foot road easement terminating in a county cul-de-sac as shown on the tentative map FRONTING THE PROPERTY



3-49

- ☐ The intersection of \_\_\_\_\_ and \_\_\_\_\_ be designed in accordance with California Highway Design Manual.
- ☐ Access be denied to lots \_\_\_\_\_ from \_\_\_\_\_ and that this be by certificate and designation on the map.
- ☐ The future alignment of \_\_\_\_\_ shall be shown on the map as reserved for future public right-of-way.
- ☒ A private easement be reserved on the map for access to lot # 3 (MIN. 20 ft WIDTH).
- ☐ A practical plan and profile for access to lots \_\_\_\_\_ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

### Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Sewer plan (County Health).
  - e. Grading and erosion control plan for subdivision related improvement locations.
  - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
  - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☐ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  - a. Submit a copy of all such permits to the Department of Public Works OR
  - b. Document that the regulatory agencies have determined that said permit is not longer required.

## Drainage

3-50

- ☐ \_\_\_\_\_ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☒ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☒ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. granted to the public in fee free of any encumbrance.
  - ☒ b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
  - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within \_\_\_\_\_ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to \_\_\_\_\_ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☒ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. *Provide WRID # to County*

## Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) \_\_\_\_\_, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association**. Impervious paving over a disposal area is not considered acceptable.

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to \_\_\_\_\_ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**\_\_\_\_\_.

### Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

### Utilities

- ☒ Electric and telephone lines shall be installed ***underground*** <sup>R</sup>***overhead***.
- ☒ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A \_\_\_\_\_ feet public utility easement on private property along \_\_\_\_\_, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

### Design

- ☒ The lots shall be numbered in sequence.
- ☐ The \_\_\_\_\_ on lot \_\_\_\_\_ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of \_\_\_\_\_ shall contain a minimum area of \_\_\_\_\_ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

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### **Vector Control and Solid Waste**

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

### **Fire Protection**

- ☐ Provide minimum fire flow of \_\_\_\_\_ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

### **Parks and Recreation (Quimby) Fees**

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total ***number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.***
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

### **Affordable Housing Fee**

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

**Easements**

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building.*** The open space parcel is to be maintained as such in perpetuity.

**Landscape Plans**

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
  - a. Drainage basin fencing. (*ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN*)
  - b. Drainage basin perimeter landscape screening. (*ONLY USE FOR FENCED BASINS*)
  - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within \_\_\_\_\_ days of completion of the improvements.

**Mitigations** PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

**Additional Map Sheet**

- ☐ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 

CHOOSE APPLICABLE PROVISIONS

  - a. That the owner(s) of lot(s) \_\_\_\_\_ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
  - b. That the owner(s) of lot(s) \_\_\_\_\_ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
  - c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** \_\_\_\_\_.

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- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of \_\_\_\_\_ feet over lots \_\_\_\_\_, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots \_\_\_\_\_ from \_\_\_\_\_ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated \_\_\_\_\_ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
- A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## Covenants, Conditions and Restrictions

3-55



The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

### CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- ☒ b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of \_\_\_\_\_ feet over lots \_\_\_\_\_, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- ☒ i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots \_\_\_\_\_ from \_\_\_\_\_ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. \_\_\_\_\_  
\_\_\_\_\_

### Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide \_\_\_\_\_ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the \_\_\_\_\_ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

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This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.



A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.



Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.



Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.



All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.





February 7, 2006

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Michael Conger  
San Luis Obispo County  
Department of Building and Planning  
South County Team

SUBJECT: APCD Comments Regarding the Gascho Subdivide Project Referral. (SUB 2005-00064)

Dear Mr. Conger,

Thank you for including the San Luis Obispo County Air Pollution Control District (SLO APCD) in the environmental review process. We have completed our review of the proposed project located at 1655 Quiet Oaks Dr in Arroyo Grande. This project involves the subdivision of a single 10-acre parcel into two (2) 5-acre parcels for the purpose of residential development. The parcel is located within the rural residential zoning designation, outside of an existing URL/VRL. The site is currently developed with one (1) primary and one (1) secondary residential unit. The following are APCD comments that are pertinent to this project.

#### GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

This project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. **The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development, therefore the APCD does not support this type of development.**

Should this project continue to move forward against our recommendation, the following APCD comments will be appropriate. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

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## **CONSTRUCTION PHASE MITIGATION**

### **Demolition Activities**

The project referral did not indicate whether there are existing structures on the proposed site that will be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

### **Developmental Burning**

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

### **Dust Control Measures**

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule.

**APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible;
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed; and
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

### **Naturally Occurring Asbestos**

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the

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ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

#### Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators (50 hp or greater);
- IC engines; and,
- Tub grinders.

**To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

#### OPERATIONAL PHASE MITIGATION

##### Residential Wood Combustion

Under APCD Rule 504, **only APCD approved wood burning devices can be installed in new dwelling units.** These devices include:

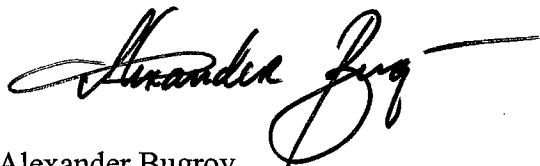
- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

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Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexander Bugrov", with a long horizontal flourish extending to the right.

Alexander Bugrov  
Air Quality Specialist

AAB/sll

cc: Tim Fuhs, Enforcement Division, APCD  
David Dixon, Engineering Division, APCD  
Karen Brooks, Enforcement Division, APCD  
Ms. Gale Gascho, Chief Executive Officer

Attachments: Naturally Occurring Asbestos - Exemption Request Form.



MC  
SA. LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING  
GENERAL SERVICES

05 SEP 26 AM 8:51

3-61

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

28  
DATE: 9/26/05

FROM: Parks

TO: FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB 205-00064 Applicant: Gascho  
Parcel map CO 05-0189. Divide 10 acres into (2)  
5 acre parcels. APN: 091-011-055

Return this letter with your comments attached no later than: 10/13/05

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☒ YES (Please go on to PART II.)  
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)  
☒ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

REQUIRE PAYMENT OF QUIMBY FEES AND APPLICABLE BUILDING  
DIVISION FEES.

Date 9/28/05

Name SHAUN COOPER

Phone X 4388

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us)

FAX: (805) 781-1242

WEBSITE: <http://www.sloplanning.org>



*me*  
**SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING**

**3-62**

VICTOR HOLANDA, AICP  
DIRECTOR

**THIS IS A NEW PROJECT REFERRAL**

DATE: 9/26/05  
TO: Leonard M. & Jo M.

FROM: ☒ - South County Team    ☐ - North County Team    ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB 205-0064 Applicant: Gascho  
Parcel map CO 05-0189. Divide 10 acres into (2)  
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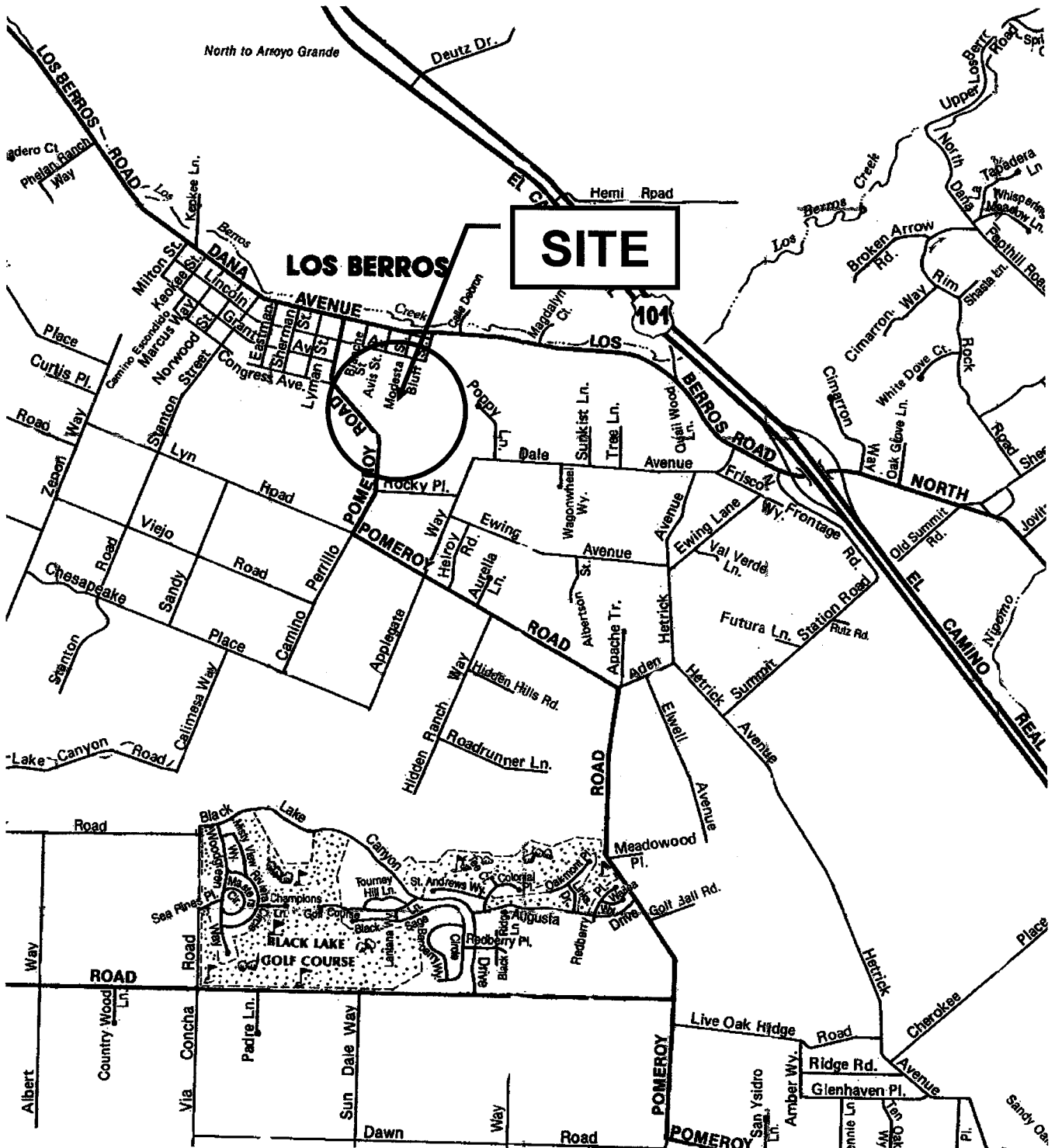
Legal Parcel - Parcel 3 of Parcel Map  
CO 78-0067.

9-27-05    Jo Hanson    781-4660  
Date    Name    Phone

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EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us) • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

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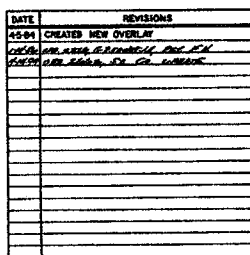
PROJECT

Parcel Map  
Gascho Sub2005-00064



EXHIBIT

Vicinity Map



**LEGEND**

<b>LAND USE CATEGORIES</b>	<b>COMBINING DESIGNATIONS</b>	<b>PROPOSED PUBLIC FACILITIES</b>
AG - AGRICULTURE	IND - ATTEMPT REDEVELOP AREA	CH - CHURCH
BL - OPEN SPACE	IND - REDEVELOP EXIST. AREA	CH - HIGH SCHOOL
REC - RECREATION	PL - PLANNED NEIGHBORHOOD	CH - ELEMENTARY SCHOOL
HO - HOUSING	IND - SENSITIVE REDEVELOP AREA	PA - PARK
HO - HOUSING, SUBURBAN	IND - SENSITIVE & DISTRACTIVE AREA	TR - TREATMENT FACILITIES
HO - HOUSING, LOW DENSITY, FAMILY	Q - DENSE & DISTRACTIVE AREA	SE - SEWAGE TREATMENT FACILITIES
HO - HOUSING, MEDIUM-DENSITY	Q - HIGHWAY	SW - SOLID WASTE FACILITIES
HO - OFFICE & PROFESSIONAL		IM - INVESTMENT FACILITIES
CA - COMMERCIAL, GENERAL		LI - LIBRARY
CA - COMMERCIAL, RETAIL		PO - POLICE OR PUBLIC SAFETY FACILITY
CA - COMMERCIAL, OFFICE		ST - STREET
SI - INDUSTRIAL		
SI - SPECIAL INDUSTRIES		
SE - OPEN SPACE		

<b>BOUNDARIES</b>	<b>SCALE</b>
SE - SEWAGE REUSE LINE (SRL)	0 400 800
PL - PLANNED LINE (PLL)	
VL - VILLAGE LINE (VLL)	
PL - PLANNED LINE (PLL)	
SE - SEWAGE REUSE LINE (SRL)	
CE - CENTRAL BUSINESS DISTRICT (CBD)	
LO - LOCAL, GENERAL PLAN	

Parcel Map  
Gascho Sub2005-00064



## Land Use Category Map



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**PROJECT**

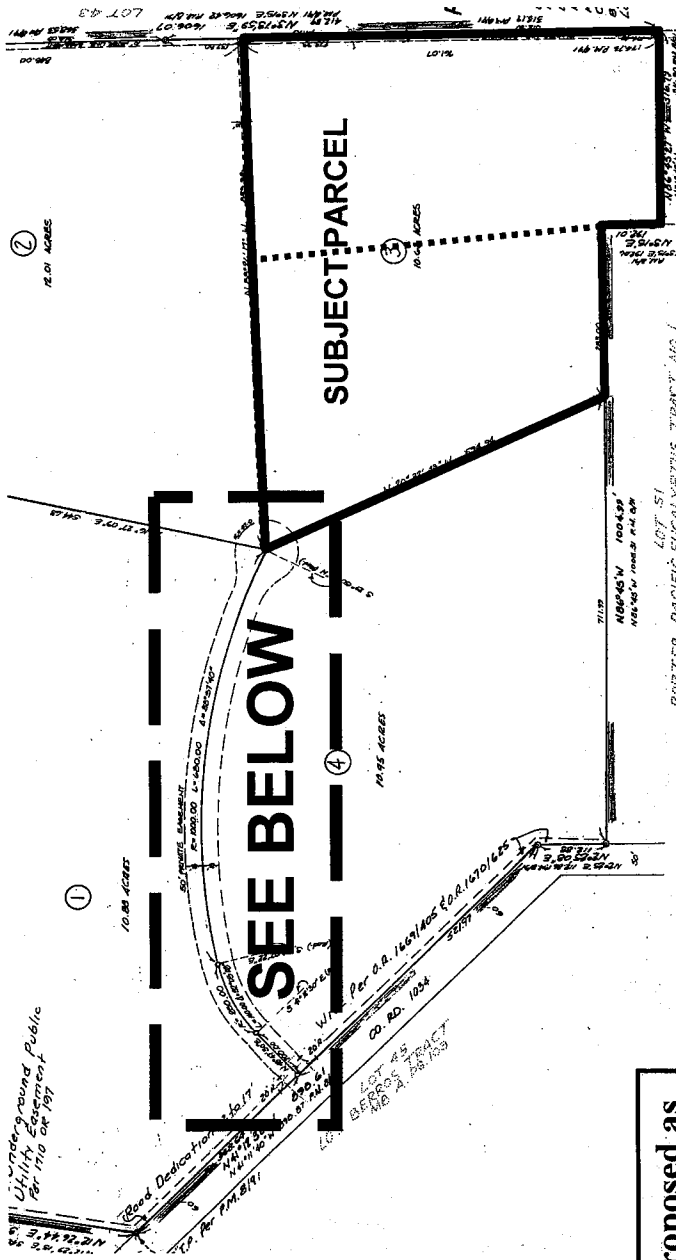
Parcel Map  
Gascho Sub2005-00064



**EXHIBIT**

Aerial Map

3-66



25' Offer Proposed as  
Part of CO04-0227  
(not yet approved)

25' Offer as Part  
of CO01-0338

Portion of the Cul-de-Sac  
Bulb Not Yet Offered

Portion of the Cul-de-Sac  
Bulb to Be Offered as  
Part of this Project

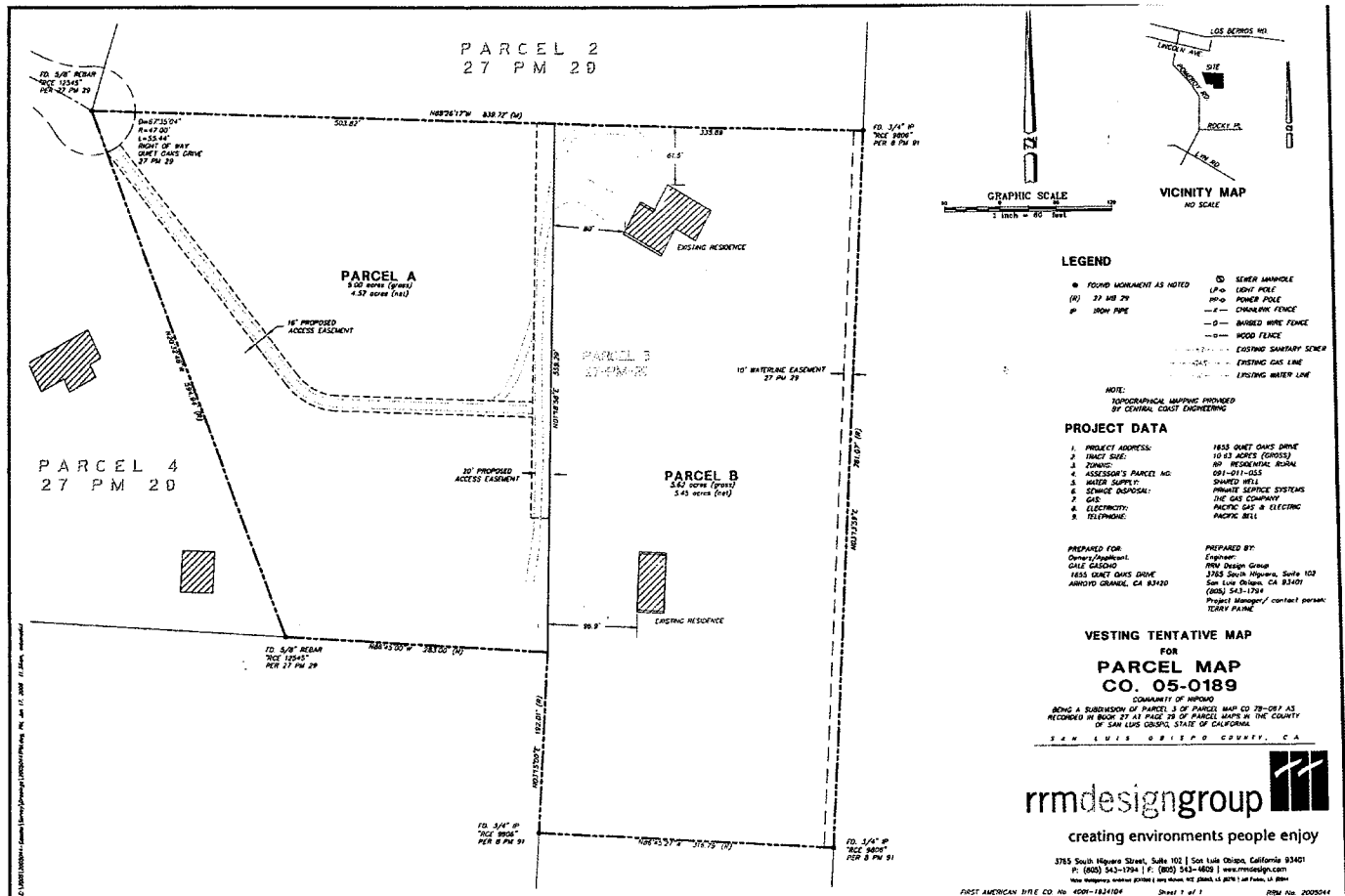
EXHIBIT

Quiet Oaks Drive - Offers of Dedication



PROJECT  
Parcel Map CO05-0189  
Gascho SUB2005-00064

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PROJECT

Parcel Map  
Gascho Sub2005-00064



EXHIBIT

Parcel Map

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